



City of Ketchum

CITY COUNCIL MEETING AGENDA MEMO

Meeting Date: Staff Member/Dept:

Agenda Item:

Recommended Motion:

- Option 1:
Move to approve the first reading by title only of Ordinance 1271, 1272, and Ordinance 1274 – Titles 1, 2 and 4 of Ketchum Municipal code.
- Option 2:
Move to approve the first reading by title only of Ordinance 1271, 1272, and Ordinance 1274 – Titles 1, 2 and 4 of Ketchum Municipal code **with the following changes:**

Reasons for Recommendation:

- The city has completed the reorganization of the land-use sections (12, 15-17) of city code. This project seeks to update the remaining non-land-use titles to reflect current operational realities and best practices
- During the February 26 meeting, Council opted to hold making changes to Title 3 to accompany the planned review of Local Option Tax (LOT) funding options.
- No additional changes have been made to Title 1 since the February 26 meeting.
- The following edits have been made following the March 12 council meeting:
 - Title 2
 - Reflected in the ordinance:
 - 2.01.030 (3) Regular meetings – updated to correct days of week
 - 2.28 Elections – run off elections changed to Mayor only (not council)
 - Not reflected
 - 2.02.010 Appointed officers – the Mayor would like to revisit the request of Council-approved appointing of the Director of Planning & Building and Director of Housing
 - Title 4 – reflected in the ordinance:
 - 4.08.010 Purpose – reverted/reestablishment of Historic Preservation Commission (HPC)
 - 4.08.050 Powers – programming purview moved to reorganized arts commission
 - 4.08.050 M – now including review of ‘Addition’ applications
 - 4.16 – establishment of ‘Cultural & Heritage Commission’

Sustainability Impact:

Financial Impact:

None OR Adequate funds exist in account:	None.
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Attachments:

Attachments 1-3 include the Ordinances and the final titles/clean language as exhibits. Attachments 4 & 5 reflect the changes made following the March 12 meeting.
1. Ordinance 1271 – Title 1
2. Ordinance 1272 – Title 2
3. Ordinance 1274 – Title 4
4. Title 2 – redline version
5. Title 4 – redline version
6. Presentation deck

**CITY OF KETCHUM
ORDINANCE 1271**

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, ADOPTING GENERAL UPDATES AND REVISIONS TO KETCHUM CITY CODE TITLE 1 – GENERAL PROVISIONS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Recitals:

- A. Pursuant to Title 50, Chapter 9 of Idaho Code the City is authorized to enact ordinances for the governance of the city and to organize such by codification.
- B. The City is conducting a general review to update, streamline, remove unnecessary or inapplicable language, clarify, and modernize existing City Code.
- C. The City desires to update Title 1 as indicated on Exhibit A to this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Ketchum, Blaine County, Idaho:

SECTION 1: That the Ketchum City Code, Title 1, is amended to read as identified on the attached Exhibit A.

SECTION 2: REPEALER. All previous ordinances, resolutions, orders, or parts thereof, that are in conflict herewith are hereby repealed.

SECTION 3: DIRECTING THE CITY CLERK.

3.1 The City Clerk is directed to file this Ordinance in the official records of the City, publish notice of this ordinance (or summary) as required by Section 50-901, Idaho Code.

3.2 The City Clerk is directed to provide an executed version of this Ordinance to the City’s contracted online code codifier so that Title 1 of the online published code may be updated to reflect the amendments set forth in Section 1 of this Ordinance.

SECTION 4: SAVINGS AND SEVERABILITY. It is hereby declared to be the legislative intent that the provisions and parts of this ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5: EFFECTIVE DATE. This ordinance shall be in full force and effect after its passage, approval and publication, according to law.

PASSED BY THE CITY COUNCIL of Ketchum, Idaho this ____ day of _____ 2026.

APPROVED BY THE MAYOR of Ketchum, Idaho this ____ day of _____ 2026.

Pete Prekeges, Mayor

ATTEST:

Trent Donat, City Clerk

EXHIBIT A
Ketchum Municipal Code, Title 1

TITLE 1 GENERAL PROVISIONS

CHAPTER 1.04 GENERAL CODE PROVISIONS

1.04.010 Definitions.

The following words and phrases, whenever used in the ordinances of the City, shall be construed as defined in this section unless, from the context, a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

Alley: A minor improved or unimproved public way providing secondary and/or service access to the back or the side of a property otherwise abutting a street.

City: The City of Ketchum, the area within the territorial limits of the City, and such territory outside the City over which the City has jurisdiction or control by virtue of any constitutional or statutory provision.

Council: The City Council of the City of Ketchum. "All its members" or "all Council Members" means the total number of Council Members holding office.

County: The County of Blaine.

Law: Denotes applicable federal law, the constitution and statutes of the State of Idaho, the ordinances of the City, and, when appropriate, any and all rules and regulations which may be promulgated thereunder.

May: Is permissive.

Month: A calendar month.

Must and shall: Are each mandatory.

Oath: Includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases, the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".

Owner: Applied to a building or land, means and includes any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety, of the whole or a part of such building or land.

Person: Means and includes a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

Personal property: Means and includes money, goods, chattels, things in action and evidences of debt.

Preceding and following: Next before and next after, respectively.

Property: Means and includes real and personal property.

Real property: Means and includes lands, tenements and hereditaments.

Sidewalk: That portion of a street or private property developed with a hard surface walkway for the use of pedestrians.

State: The State of Idaho.

Street: A public or private right-of-way, which provides vehicular or pedestrian access to more than four dwelling units. "Street" also includes the terms "highway", "boulevard", "parkway", "thoroughfare", "road", "avenue", "lane", "place" and all such terms except "driveway".

Tenant and occupant: Applied to a building or land, mean and include any person who occupies the whole or a part of such building or land, whether alone or with others.

Written: Means and includes printed, typewritten, mimeographed, multigraphed, or otherwise reproduced in permanent visible form.

Year: A calendar year.

(Ord. 778 § 1, 1999)

1.04.020 Interpretation of language.

All words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

(Ord. 778 § 2, 1999)

1.04.030 Grammatical interpretation.

The following grammatical rules shall apply in the ordinances of the City unless it is apparent from the context that a different construction is intended:

- A. *Gender.* Each gender includes the masculine, feminine and neuter genders.
- B. *Singular and plural.* The singular number includes the plural, and the plural includes the singular.
- C. *Tenses.* Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable.

(Ord. 778 § 3, 1999)

1.04.040 Acts by agents.

When an act is required by an ordinance, the same being such that it may be done as well by an agent as by the principal, such requirement shall be construed to include all such acts performed by an authorized agent.

(Ord. 778 § 4, 1999)

1.04.050 Prohibited acts include causing and permitting.

Whenever in the ordinances of the City any act or omission is made unlawful, it shall include causing, allowing, permitting, aiding, abetting, suffering or concealing the fact of such act or omission.

(Ord. 778 § 5, 1999)

1.04.060 Computation of time.

Except when otherwise provided, the time within which an act is required to be done shall be computed by excluding the first day and including the last day, unless the last day is Saturday, Sunday or a legal holiday, in which case, the period runs until the end of the next day which is neither Saturday, Sunday nor legal holiday.

(Ord. 778 § 6, 1999)

1.04.070 Construction.

The provisions of the ordinances of the City, and all proceedings under them, are to be construed with a view to affect their objects and to promote justice.

(Ord. 778 § 7, 1999)

1.04.080 Repeal shall not revive any ordinances.

The repeal of an ordinance shall not repeal the repealing clause of an ordinance or revive any ordinance.

(Ord. 778 § 8, 1999)

1.04.090 Saving and severability clause.

It is declared to be the legislative intent that the provisions and parts of this code shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this code.

(Ord. 778 § 9, 1999)

CHAPTER 1.08 CORPORATE SEAL

1.08.010 Description of corporate seal.

The corporate seal of the City of Ketchum, Idaho, shall be circular in form approximately two inches in diameter, more or less, with an inner and outer circle, the inner circle to be approximately one-fourth-inch less in diameter than the outer circle. The seal shall bear in the space between the inner and outer circles substantially the following: "City of Ketchum, Blaine County, Idaho", and upon the space within the inner circle the word "Seal".

(Ord. 22 § 1, 1956; Ord. 781 § 1, 1999)

1.08.020 Adoption.

The corporate seal, the impression of which is described in section 1.08.010 of this chapter, is adopted and declared to be the official seal of the City of Ketchum, Blaine County, Idaho.

(Ord. 22 § 2, 1956; 2000 Code)

CHAPTER 1.20 OFFICIAL NEWSPAPER

1.20.010 Designated.

- A. This chapter is adopted to designate the official newspaper for the City of Ketchum, Idaho, as required by Idaho Code section 50-213.
- B. The "Idaho Mountain Express", as a newspaper which meets the requirements of Idaho Code section 60-106 et seq., shall be and the same is designated as the official newspaper for the City of Ketchum, Idaho.

(Ord. 475 §§ 1, 2, 1988)

CHAPTER 1.32 RIGHT OF ENTRY

1.32.010 Entry to any building or premises.

Whenever any officer or employee of the City is authorized to enter any building or premises for the purpose of making an inspection to enforce any ordinance, the officer or employee may enter such building or premises at all reasonable times to inspect the same pursuant to section 1.32.020 of this chapter, except in emergency situations, or when consent of the person having charge or control of such building or premises has been otherwise obtained.

(Ord. 780 § 1, 1999)

1.32.020 Presentation of proper credentials.

If the building or premises to be inspected is occupied, the authorized officer or employee shall first present proper credentials and demand entry. If such building or premises is unoccupied, the officer or employee shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and demand entry. If consent to such entry is not given, the authorized officer or employee shall have recourse to every remedy provided by law to secure entry.

(Ord. 780 § 2, 1999)

1.32.030 Controlling over other ordinances.

This chapter shall be controlling over any other ordinance or part of an ordinance on the same subject, whether heretofore or hereafter adopted, unless such ordinance or part of an ordinance provides differently by an express reference to this chapter. Notwithstanding any other ordinance of the City, it shall not be a violation of this chapter to refuse or fail to consent to an entry for inspection.

(Ord. 780 § 3, 1999)

CHAPTER 1.36 GENERAL PENALTY

1.36.010 General penalty.

Any person violating any of the provisions or failing to comply with any of the mandatory requirements of the ordinances of the City shall be guilty of an infraction unless the violation is made a misdemeanor by ordinance.

(Ord. 779 § 1, 1999)

1.36.020 Penalties, fines and fees.

Unless otherwise specified in this code, all penalties, fines, and administrative fees shall be established by resolution of the City Council. The current schedule of such fees and penalties is contained in the City's adopted fee resolution, as amended from time to time.

**CITY OF KETCHUM
ORDINANCE 1272**

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, ADOPTING GENERAL UPDATES AND REVISIONS TO KETCHUM CITY CODE TITLE 2 – ADMINISTRATION AND PERSONNEL; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Recitals:

- A. Pursuant to Title 50, Chapter 9 of Idaho Code the City is authorized to enact ordinances for the governance of the city and to organize such by codification.
- B. The City is conducting a general review to update, streamline, remove unnecessary or inapplicable language, clarify, and modernize existing City Code.
- C. The City desires to update Title 2 as indicated on Exhibit A to this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Ketchum, Blaine County, Idaho:

SECTION 1: That the Ketchum City Code, Title 2, is amended to read as identified on the attached Exhibit A.

SECTION 2: REPEALER. All previous ordinances, resolutions, orders, or parts thereof, that are in conflict herewith are hereby repealed.

SECTION 3: DIRECTING THE CITY CLERK.

3.1 The City Clerk is directed to file this Ordinance in the official records of the City, publish notice of this ordinance (or summary) as required by Section 50-901, Idaho Code.

3.2 The City Clerk is directed to provide an executed version of this Ordinance to the City’s contracted online code codifier so that Title 2 of the online published code may be updated to reflect the amendments set forth in Section 1 of this Ordinance.

SECTION 4: SAVINGS AND SEVERABILITY. It is hereby declared to be the legislative intent that the provisions and parts of this ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5: EFFECTIVE DATE. This ordinance shall be in full force and effect after its passage, approval and publication, according to law.

PASSED BY THE CITY COUNCIL of Ketchum, Idaho this ____ day of _____ 2026.

APPROVED BY THE MAYOR of Ketchum, Idaho this ____ day of _____ 2026.

ATTEST:

Pete Prekeges, Mayor

Trent Donat, City Clerk

EXHIBIT A
Ketchum Municipal Code, Title 2

TITLE 2 ADMINISTRATION AND PERSONNEL

CHAPTER 2.01 MAYOR AND CITY COUNCIL

2.01.010 Mayor.

The Mayor, as the City's Chief Executive Officer, shall:

1. Provide leadership in implementing the City's mission, ensuring the faithful execution of laws, ordinances, and policies, and advancing community values and quality of life.
2. Recommend policies, programs, and legislation to the City Council, and exercise any statutory or charter authority, including the power to approve or veto ordinances as provided by law.
3. Represent the City in intergovernmental, community, and public affairs, and serve as the primary spokesperson for City government.
4. And as other specific duties as outlined in State law.

2.01.020 City Council.

The City Council, consisting of 4 members in non-designated seat, as the legislative body of the City, shall:

1. Establish policies, adopt ordinances and resolutions, approve the annual budget, and provide for the prudent use of City resources to advance the community's values and quality of life.
2. Represent the interests of residents by setting strategic goals, reviewing and evaluating City programs and services, and ensuring accountability in municipal operations.
3. Act collectively to direct the City's affairs, working with the Mayor and staff to implement policies and programs in compliance with applicable laws.
4. And as other specific duties as outlined in State law.

2.01.030 City Council meetings.

1. *Parliamentary Procedures*: City Council meetings shall be conducted in accordance with Robert's Rules of Order, Newly Revised, as a guide for orderly procedure, except where superseded by state law, City code, or adopted Council rules, following the basic principles:
 - a. Agenda Items – Each meeting shall have the following components:
 - 1) Consent calendar
 - 2) Public hearings
 - 3) New business
 - 4) Executive session

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- b. **Orderly Conduct** – Only one person speaks at a time; remarks are addressed to the presiding officer.
 - c. **Motions** – A proposal for Council action; requires a second before debate.
 - d. **Debate** – Members may discuss the motion, with the presiding officer ensuring fair opportunity for all to speak.
 - e. **Voting** – Actions are decided by majority vote unless otherwise required by law.
 - f. **Records** – All actions taken are recorded in the official minutes.
2. *Quorum*: Pursuant to Idaho Code § 50-705, a quorum shall consist of a majority of the duly elected members of the Council; the minimum number of City Council members who must be present to conduct official business. No ordinance, resolution, or motion shall be passed without the concurrence of at least a majority of the full Council. No action may be taken without a quorum present, except to adjourn or recess a meeting.
 3. *Regular Meetings*: The regular meetings of the City Council of the City of Ketchum, Idaho, shall be held on the second and fourth Thursday of each month at the hour of 5:30 p.m. in Ketchum City Hall,. Council shall adopt an resolution annually designating meeting dates and times, which will be posted on the city website
(Ord. 739 § 1, 1999; Ord. 870 § 1, 2001)
 4. *Special Meetings*: Special meetings of the City Council may be called at any time by the Mayor alone or by a majority of members of the Council. The call for all special meetings shall state the object and purposes of such meetings, and no other business shall be transacted at such meetings.

2.01.040 Reconsideration and appeals.

1. Reconsideration
 - a. Any applicant or affected person seeking judicial review of the City Council’s final decision must first file a written request for reconsideration with the City Council within fourteen (14) days of the decision, specifying the deficiencies in the decision for which reconsideration is sought.
 - b. The Council may reconsider only on one or more of the following grounds:
 - 1) Clerical error,
 - 2) Fraud or mistake,
 - 3) New evidence or changed circumstances,
 - 4) Procedural error,
 - 5) A tie vote in the initial decision, or
 - 6) Violation of substantive law.
 - c. At its next regular meeting, the Council shall consider whether to grant reconsideration. If granted, a hearing limited to the specified deficiencies shall be scheduled and conducted in accordance with public notice requirements.
 - d. Within sixty (60) days following receipt of the request, the Council shall issue a written decision to affirm, reverse, or modify, in whole or in part, the original decision. If the Council does not act within that time, the reconsideration request is deemed denied.

2. Appeal

- a. If the Council issues a final decision – either initially or following reconsideration – an affected person may seek judicial review in the district court, as provided by Chapter 52, Title 67, Idaho Code, within twenty-eight (28) days after all local remedies have been exhausted.
- b. Upon receipt of a judicial review petition, the City shall prepare and provide the administrative record in accordance with Idaho law.
- c. Any actions or determinations not expressly listed in this section as appealable to the City Council shall be subject to the reconsideration or appeal procedures outlined within the corresponding chapters of this code.

2.01.050 Compensation.

In accordance with Idaho Code title 50, compensation for the Mayor and City Council members shall be fixed by ordinance at least seventy-five (75) days prior to any general City election. Annual salaries are effective January 1 of the following year.

Commencing January 1, 2008, the compensation of the Mayor and of the members of the City Council shall be as follows:

1. The Mayor shall receive a monthly salary in the sum of \$3,000.00. Furthermore, beginning January 1, 2009, and continuing each January thereafter, the Mayor shall receive a cost of living adjustment (COLA) to such salary in the same amount afforded to City of Ketchum employees. The Mayor shall also receive health benefits, dental benefits, vision benefits, long term disability benefits and healthcare reimbursement account benefits in the same amount afforded to City of Ketchum employees. The Mayor shall also receive Idaho PERSI retirement benefits in the same amount afforded to City of Ketchum employees as prescribed by Idaho Code section 59-1322. If such benefits are declined by the Mayor, a monthly payment shall be made compensating the Mayor for benefits in an amount not to exceed the value of the benefits; and
2. Each member of the Council shall receive a monthly salary in the sum of \$1,666.67. Furthermore, beginning January 1, 2009, and continuing each January thereafter, each member of the Council shall receive a cost of living adjustment (COLA) to such salary in the same amount afforded to City of Ketchum employees. Each member of the Council shall also receive health benefits, dental benefits, vision benefits, long term disability benefits and healthcare reimbursement account benefits in the same amount afforded to City of Ketchum employees. Each member of the Council shall also receive Idaho PERSI retirement benefits in the same amount afforded to City of Ketchum employees as prescribed by Idaho Code section 59-1322. If such benefits are declined by a member of the Council, a monthly payment shall be made compensating such member of the Council for benefits in an amount not to exceed the value of the benefits.
3. No other compensation shall be afforded to the Mayor or Council Members.

(Ord. 1023 § 1, 2007)

CHAPTER 2.02 APPOINTED OFFICERS

2.02.010 Appointment of officers.

The Mayor, with the consent of the Council, shall appoint the City Administrator, City Clerk, City Treasurer, and City Attorney. Appointed officers and specified department heads may be removed from office either by the Mayor and two (2) members of the Council, or by three (3) members of the Council.

2.02.020 Officer duties.

1. City Administrator
 - a. Oversee day-to-day city operations consistent with Council policies and the Mayor's direction,
 - b. Supervise department heads and support effective interdepartmental coordination,
 - c. Assist in preparing the annual budget and advise on financial and operational matters,
 - d. Provide administrative support to the City Council, including attendance at meetings and preparation of reports,
 - e. Act as point of contact for residents, businesses, other governmental agencies, and the community, and
 - f. Perform additional duties as assigned by the Mayor or City Council.
2. City Clerk
 - a. Keep the official records of the City, including ordinances, resolutions, minutes, and contracts,
 - b. Maintain the City seal and attest official documents,
 - c. Administer oaths of office when required by law,
 - d. Act as custodian of public records and manage requests under Idaho Law,
 - e. Issue licenses and permits as authorized by ordinance, and
 - f. Perform such other duties as may be required by law, ordinance, or direction of the Mayor and Council.
3. City Treasurer
 - a. Collect, receive and safely keep all city funds,
 - b. Deposit city funds in approved depositories,
 - c. Keep accurate records of all receipts and disbursements,
 - d. Disburse funds only upon proper authorization and warrant,
 - e. Provide regular financial reports to the Mayor and Council,
 - f. Assist with budget preparation and monitoring of city finances, and
 - g. Perform other duties as prescribed by law or directed by the Mayor and Council.
4. City Attorney
 - a. Act as legal advisor to the Mayor, Council, and city departments,
 - b. Draft ordinances, resolutions, contracts, and other legal documents,
 - c. Represent the City in civil proceedings and prosecute ordinance violations as directed,
 - d. Provide legal opinions and guidance to the Mayor, Council, and staff,
 - e. Attend Council meetings when requested by the Mayor or Council, and
 - f. Perform such other duties as may be required by law, ordinance, or direction of the Mayor and Council.

CHAPTER 2.03 DEPARTMENTS

2.03.010 Establishment of departments.

The City Council may, by ordinance or resolution, create, consolidate, or dissolve departments as necessary for the efficient administration of City affairs. The administrative service of the City shall be organized into the following departments:

1. Administration
2. Community Engagement
3. City Clerk
4. Finance
5. Housing
6. Planning & Building
7. Police
8. Public Works
 - a. Facilities Division
 - b. Streets Division
 - c. Wastewater Division
 - d. Water Division
9. Recreation

2.03.020 Department heads.

Each department shall be directed by a department head who shall be appointed by the City Administrator with approval of the Mayor. Department heads shall be responsible for the administration and operation of their departments, including:

1. Implementing City policies and ordinances within their areas of responsibility,
2. Managing staff, budgets, and resources assigned to the department,
3. Advising the Mayor and Council on departmental matters,
4. Coordinating with other departments, boards, and commissions to further the City's goals, and
5. Performing other duties as may be assigned by the Mayor or City Administrator.

CHAPTER 2.04 CODE OF ETHICS

2.04.010 Purpose.

The purpose of this chapter is to promote public confidence in the integrity of city government by establishing clear ethical standards for city officials, employees, and contractors. These standards are intended to supplement, not replace, the requirements of Idaho Code Title 74, Chapter 4, "Ethics in Government."

2.04.020 Applicability.

This chapter applies to all elected and appointed city officials, members of boards and commissions, city employees, and contractors acting on behalf of the City of Ketchum.

2.04.030 Conflicts of interest.

1. **Prohibited Conduct.** No city official, employee, or contractor shall engage in any action, decision, or vote that may result in a direct or indirect financial benefit to themselves, their household members, or any business with which they are associated, when such benefit conflicts with the proper discharge of their official duties.
2. **Disclosure Required.** Any person covered by this chapter who has a potential conflict of interest shall disclose the nature of the conflict prior to participating in any discussion, decision, or action on the matter.
3. **Recusal.** Upon disclosure, the official or employee shall abstain from participation in the decision-making process when the conflict exists, unless otherwise permitted by Idaho Code.
4. **Use of Position.** No person shall use their position or city resources for personal gain, private advantage, or to benefit another in a manner inconsistent with public duties.

2.04.040 Gifts and favors.

No city official, employee, or contractor shall solicit or accept any gift, favor, service, or item of value that could reasonably be perceived to influence, or appear to influence, the impartial performance of official duties. Acceptance of items of nominal value, such as promotional items, light refreshments, or awards of recognition customarily given in the ordinary course of civic or professional relationships, is permitted. Any gift or benefit received in connection with city service shall not exceed fifty dollars (\$50.00).

CHAPTER 2.28 ELECTIONS

2.28.010 Run-off elections for mayor.

1. **Majority Vote Required.** A majority of the voters cast for the office of Mayor shall be required for election.
2. **Run-Off Election.** If no candidate receives a majority of the votes cast at a general election, a run-off election shall be held between the two (2) candidates receiving the highest number of votes.
3. **Tie for Second Place.** In the event of a tie between candidates receiving the second and third highest number of votes, the candidate to oppose the candidate receiving the highest number of votes in the run-off election shall be determined by the toss of a coin.
4. **Conduct of Election.** The run-off election shall be conducted in the same manner as a general election and shall be held within thirty (30) days following the general election.
5. **Notice and Polling Places.** The City Clerk shall publish the first notice of the run-off election in the official newspaper not less than twenty (20) days prior to the election. The City Clerk shall designate the polling places before publication of the notice.
6. **Recount; Cancellation of Run-Off.** The results of the general election shall be subject to change as a result of a recount. If, following a recount that becomes final at least twenty-four (24) hours prior to the

scheduled run-off election, a candidate is determined to have received a majority of the votes cast, the City Council may cancel the run-off election.

**CITY OF KETCHUM
ORDINANCE 1274**

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, ADOPTING GENERAL UPDATES AND REVISIONS TO KETCHUM CITY CODE TITLE 4 – COMMISSIONS AND BOARDS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Recitals:

- A. Pursuant to Title 50, Chapter 9 of Idaho Code the City is authorized to enact ordinances for the governance of the city and to organize such by codification.
- B. The City is conducting a general review to update, streamline, remove unnecessary or inapplicable language, clarify, and modernize existing City Code.
- C. The City desires to update Title 4 as indicated on Exhibit A to this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Ketchum, Blaine County, Idaho:

SECTION 1: That the Ketchum City Code, Title 4, is amended to read as identified on the attached Exhibit A:

SECTION 2: REPEALER. All previous ordinances, resolutions, orders, or parts thereof, that are in conflict herewith are hereby repealed.

SECTION 3: DIRECTING THE CITY CLERK.

3.1 The City Clerk is directed to file this Ordinance in the official records of the City, publish notice of this ordinance (or summary) as required by Section 50-901, Idaho Code.

3.2 The City Clerk is directed to provide an executed version of this Ordinance to the City’s contracted online code codifier so that Title 4 of the online published code may be updated to reflect the amendments set forth in Section 1 of this Ordinance.

SECTION 4: SAVINGS AND SEVERABILITY. It is hereby declared to be the legislative intent that the provisions and parts of this ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5: EFFECTIVE DATE. This ordinance shall be in full force and effect after its passage, approval and publication, according to law.

PASSED BY THE CITY COUNCIL of Ketchum, Idaho this ____ day of _____ 2026.

APPROVED BY THE MAYOR of Ketchum, Idaho this ____ day of _____ 2026.

Pete Prekeges, Mayor

ATTEST:

Trent Donat, City Clerk

EXHIBIT A
Ketchum Municipal Code, Title 4

TITLE 4 COMMISSIONS AND BOARDS

CHAPTER 4.08 HISTORIC PRESERVATION COMMISSION

4.08.010 Purpose.

The purpose of this chapter is to establish the Historic Preservation Commission of the City of Ketchum in accordance with Idaho Code Title 67, Chapter 46, and to define the composition, duties, and responsibilities of the Historic Preservation Commission, herein referenced as HPC. The HPC is created to preserve the historical, archeological, architectural and cultural heritage of the City of Ketchum through a comprehensive historic preservation program as guided by the goals and policies of the Comprehensive Plan. The HPC shall function solely as a land use authority for historic preservation and shall not serve as a forum for general community engagement on historic matters.

(Ord. 511 § 1, 1989; Ord. No. 1231, § 1, 1-3-2022)

4.08.030 Created; appointments.

- A. There is created an HPC which shall consist of five members comprised of a maximum of three and a minimum of one member of the Planning and Zoning Commission and a maximum of four and a minimum of two members of the community who shall be appointed by the Mayor with the advice and consent of the Council.
- B. All members of the HPC shall have a demonstrated interest, competence or knowledge in history or historic preservation. The Council shall endeavor to appoint community members with professional training or experience in the disciplines of architecture, history, architectural history, urban planning, archaeology, engineering, law, or other historic preservation related disciplines.
- C. Initial appointments to the HPC shall be made as follows: two two-year terms, and three three-year terms. All subsequent appointments shall be made for three-year terms. HPC members may be reappointed to serve additional terms. Vacancies shall be filled in the same manner as original appointments, and the appointee shall serve for the remainder of the unexpired term.
- D. The members of the HPC may be reimbursed by the City for expenses incurred in connection with their duties and for meetings, subject to a resolution adopted by the City Council.

(Ord. 511 § 3, 1989; Ord. 512 § 1, 1989; Ord. 978 § 1, 2006; Ord. No. 1231, § 1, 1-3-2022)

4.08.040 Organization, officers, rules, meetings.

- A. The HPC shall have the power to make whatever rules are necessary for the execution of its duties as set forth in this chapter. Rules of procedure and bylaws adopted by the HPC shall be available for public inspection.
- B. The HPC shall elect officers from among the HPC members. The chairperson shall preside at meetings of the HPC. The vice chairperson shall, in the absence of the chairperson, perform the duties of the chairperson.

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- C. All meetings of the HPC shall be open to the public and follow the requirements of Idaho's open meeting laws. The HPC shall keep minutes and other appropriate written records of its resolutions, proceedings and actions.
 - D. The HPC may recommend to the Council, within the limits of its funding, the employment of or the contracting with other parties for the services of technical experts or other persons as it deems necessary to carry on the functions of the HPC.

(Ord. 511 § 4, 1989; Ord. No. 1231, § 1, 1-3-2022)

4.08.050 Powers, duties and responsibilities.

The HPC shall be advisory to the Council and shall be authorized to:

- A. Conduct a survey of local historic properties;
- B. Recommend the acquisition of fee and lesser interests in historic properties, including adjacent or associated lands, by purchase, bequests or donation;
- C. Recommend methods and procedures necessary to preserve, restore, maintain and operate historic properties under the ownership or control of the City;
- D. Recommend the lease, sale, other transfer or disposition of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property;
- E. Contract, with the approval of the Council, with the state or federal government, or any agency of either, or with any other organization;
- F. Cooperate with the federal, state and local governments in the pursuance of the objectives of historic preservation;
- G. Make recommendations in the planning processes undertaken by the county, the City, the state or the federal government and the agencies of these entities;
- H. Recommend ordinances related to historic preservation in the City;
- I. HPC members, employees or agents of the HPC may enter private property, buildings or structures in the performance of their official duties only with the express consent of the owner or occupant;
- J. Review nominations of properties to the National Register of Historic Places for properties within the City's jurisdiction;
- K. Establish and maintain the Historic Building/Site list;
- L. Review and make decisions on Demolition and Addition/Alteration applications.

(Ord. 511 § 5, 1989; Ord. No. 1231, § 1, 1-3-2022)

CHAPTER 4.12 PLANNING AND ZONING COMMISSION

4.12.010 Purpose.

The purpose of this chapter is to establish the Planning and Zoning Commission of the City of Ketchum in accordance with Idaho Code Title 67, Chapter 65, and to define its composition, duties, and responsibilities. The Commission is created to promote the orderly development of the City; to implement the goals and policies of the

Comprehensive Plan; to review and make recommendations on land use, zoning, and subdivision matters; and to advise the Mayor and City Council on issues affecting the growth, development, and general welfare of the community.

4.12.020 Creation of the Commission.

A Planning and Zoning Commission for the City of Ketchum, Idaho, is created pursuant to Idaho Code section 67-6504. The appointment of members, filling vacancies, residency, length of service and removal for cause shall conform to requirements contained in Idaho Code section 67-6504) as may be amended from time to time.

(Ord. 1130, 2015)

4.12.030 Establish number of members.

The number of members to be appointed to the Commission shall be five.

(Ord. 1130, 2015)

4.12.040 Establish term of office.

The term of a commissioner shall be three years, pursuant to Idaho Code section 67-6504(a) that provides for not less than three years and not more than six years.

(Ord. 1130, 2015)

CHAPTER 4.16 CULTURAL AND HERITAGE COMMISSION

4.16.010 Purpose.

It is the purpose of this chapter and the policy of the City to recognize the value of art and cultural activities in public places, in order to beautify community spaces and enhance the quality of life for Ketchum citizens and visitors to attract tourism, elevate art education, celebrate cultural heritage, and provide incentives for businesses to locate within the City, thus expanding Ketchum's economic base.

(Ord. 1168, 2017)

4.16.020 General requirements.

- A. Public cultural, historical, or art installations may be an integral part of a structure, attached to a structure or detached from a structure within or outside of it. These installations may also be located on any publicly owned property or on publicly accessible private property upon formal written agreement with the private entity.
- B. Any public cultural, historical, or art installations chosen shall be located in a public place with public accessibility and impact, and further shall comply with any additional guidelines established by Council upon recommendation of the Ketchum Cultural and Heritage Commission.

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- C. Nothing contained herein shall preclude the funding of City public cultural, historical, or art installations by matching monies, donations, or other means.

(Ord. 1168, 2017)

4.16.030 Administrative responsibilities.

- A. The City designates the Ketchum Cultural and Heritage Commission to be responsible for the location and selection of all public cultural, historical, or art installations in the City. The Ketchum Cultural and Heritage Commission will make recommendations and seek input and advice from relevant City departments prior to public cultural, historical, or art installation. The Ketchum Cultural and Heritage Commission will also advise relevant City departments regarding the maintenance, repair, and other conservation of public cultural, historical, or art installations.
- B. Public cultural, historical, or art installations selected shall be consistent with the City's comprehensive plan, zoning and subdivision ordinances, and land uses contemplated therein.
- C. The Ketchum Cultural and Heritage Commission will work with the City regarding the public cultural, historical, or art installations for capital improvement projects and the selection of artists or historians for these projects.
- D. The Ketchum Cultural and Heritage Commission shall make reports from time to time as requested by the Mayor and/or the Council.

(Ord. 1168, 2017)

4.16.040 Source of funds.

Funds to support the Cultural and Heritage Commission may include, but are not limited to, general funds, percent for art funds, Ketchum Urban Renewal Agency funds, grants, donations, and funding from other organizations and agencies.

(Ord. 1168, 2017)

4.16.050 Composition, appointment, and terms.

- A. The Commission shall consist of seven (7) members.
- B. Members shall be appointed by the Mayor with the advice and consent of the Council.
- C. The membership should, to the greatest extent practicable, include:
 - 1. Persons with demonstrated interest, competence, or knowledge in one or more of the following:
 - a. History
 - b. Archaeology
 - c. Cultural arts
 - d. Visual, performing, or literary arts
 - e. Arts administration or curation
 - f. Museum studies
 - g. Landscape architecture

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- h. Other related disciplines.
 - D. Initial appointments shall be for staggered terms. Thereafter, terms shall be three (3) years.
 - E. Members shall be limited to a total of two terms, which may be served consecutively, unless otherwise approved by resolution of the City Council.
 - F. Vacancies shall be filled in the same manner as the original appointment for the remainder of the unexpired term.
 - G. Members may be reimbursed for expenses as approved by resolution of the City Council

4.16.060 Organization, officers, meetings, and rules.

- A. The Commission shall elect a chair and vice-chair annually from among its members at the first regular meeting of each calendar year.
- B. All meetings shall be open to the public and conducted in accordance with Idaho open meeting laws.
- C. The Commission shall keep minutes and other appropriate records.
- D. The Commission may recommend to the Council, within budgetary limits, the use of technical experts or consultants.

The Mayor shall designate one City staff member to the Commission. Staff shall provide administrative support, assist with agenda preparation and reports, coordinate with other City departments, and serve as a point of communication between the Commission, the Mayor, and the City Council. Additional staff or consultants may assist as necessary. Staff member shall not be a voting member of the Commission. The Commission shall not exercise administrative or supervisory authority over City staff, and all staff direction and supervision shall remain with the City Administrator or designee.

4.16.070 Duties and responsibilities.

The duties and responsibilities of the Cultural and Heritage Commission shall be as follows:

- A. Raise awareness and appreciation of the importance of culture, history, and art in the broadest possible manner including, but not limited to, the review and incorporation of public cultural, historical, or art installations with existing and new construction (both public and private), support and production of visual, performing and literary cultural, historical, or arts programming, and general promotion and education regarding culture, history and art.
- B. Encourage the preservation and growth of the City's cultural, historical, or art resources, foster the development of a receptive climate for the humanities, and promote opportunities for Ketchum residents to participate in cultural, historical, or art activities.
- C. Provide information, encouragement, and general assistance to Ketchum's cultural organizations, artists, and historians.
- D. Promote the development of Ketchum artists, historians, institutions, and community organizations sponsoring cultural, historical, or arts activities.
- E. Assess the community's cultural, historical, or arts needs and make such information available to the Mayor and City Council and all interested agencies and persons.
- F. Review and provide recommendations and advice to the Mayor and City Council on all proposed cultural, historical, or art related projects, events, grants, general disbursement of funds or provision of

services to artists, historians, nonprofits, or for-profit cultural, historical, or arts institutions or organizations.

- G. Promote and conduct educational and interpretive programs on historic properties in the City of Ketchum.
- H. Seek and encourage financial support, including grants, loans and guarantees for Ketchum Cultural and Heritage Commission projects subject to approval by the City Council and Mayor.

(Ord. 1168, 2017)

CHAPTER 4.18 URBAN RENEWAL AGENCY

4.18.010 Purpose.

The purpose of this chapter is to establish the Ketchum Urban Renewal Agency (KURA), an independent agency formed by the City of Ketchum in 2006, to focus on downtown revitalization, community housing, and public and private investments. The KURA operates under its own budget, bylaws, and Board of Commissioners, implementing projects identified in the Ketchum Urban Renewal Plan adopted by the City Council. Ketchum Urban Renewal Agency.

4.18.020 Establishment and Composition.

The Ketchum Urban Renewal Agency is established as an independent agency of the City of Ketchum. The Agency shall be governed by a Board of Commissioners consisting of seven members: two members of the Ketchum City Council and five additional members from the community. The members shall be appointed by the Mayor and confirmed by the City Council. Ketchum Urban Renewal Agency.

4.18.030 Powers and Duties.

The KURA shall have the authority to:

1. Implement the projects identified in the Ketchum Urban Renewal Plan.
2. Utilize tax increment financing to fund urban renewal projects.
3. Acquire, improve, and dispose of property within the Revenue Allocation Area.
4. Enter into contracts and agreements necessary to carry out urban renewal projects.
5. Issue bonds or other obligations to finance urban renewal activities.
6. Perform all other activities authorized under Idaho Code Title 50, Chapter 20.

4.18.040 Administrative Responsibilities.

The City designates the Ketchum Urban Renewal Agency as responsible for the administration and implementation of urban renewal projects within the City. The KURA shall coordinate with relevant City departments and officials to ensure alignment with the City's comprehensive plan and zoning ordinances.

4.18.050 Funding Sources.

The KURA may utilize various funding sources to support its activities, including but not limited to:

1. Tax increment financing derived from the Revenue Allocation Area.
2. Grants and loans from federal, state, or local agencies.
3. Private investments and partnerships.
4. Donations and other contributions.

4.18.060 Reporting and Oversight.

The KURA shall provide annual reports to the City Council detailing its activities, financial status, and progress on urban renewal projects. The City Council shall have oversight authority to ensure that the KURA's activities align with the City's goals and objectives.

TITLE 2 ADMINISTRATION AND PERSONNEL

CHAPTER 2.01 MAYOR AND CITY COUNCIL

2.01.010 Mayor.

The Mayor, as the City's Chief Executive Officer, shall:

1. Provide leadership in implementing the City's mission, ensuring the faithful execution of laws, ordinances, and policies, and advancing community values and quality of life.
2. Recommend policies, programs, and legislation to the City Council, and exercise any statutory or charter authority, including the power to approve or veto ordinances as provided by law.
3. Represent the City in intergovernmental, community, and public affairs, and serve as the primary spokesperson for City government.
4. And as other specific duties as outlined in State law.

2.01.020 City Council.

The City Council, consisting of 4 members in non-designated seat, as the legislative body of the City, shall:

1. Establish policies, adopt ordinances and resolutions, approve the annual budget, and provide for the prudent use of City resources to advance the community's values and quality of life.
2. Represent the interests of residents by setting strategic goals, reviewing and evaluating City programs and services, and ensuring accountability in municipal operations.
3. Act collectively to direct the City's affairs, working with the Mayor and staff to implement policies and programs in compliance with applicable laws.
4. And as other specific duties as outlined in State law.

2.01.030 City Council meetings.

1. *Parliamentary Procedures*: City Council meetings shall be conducted in accordance with Robert's Rules of Order, Newly Revised, as a guide for orderly procedure, except where superseded by state law, City code, or adopted Council rules, following the basic principles:
 - a. Agenda Items – Each meeting shall have the following components:
 - 1) Consent calendar
 - 2) Public hearings
 - 3) New business
 - 4) Executive session

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- b. **Orderly Conduct** – Only one person speaks at a time; remarks are addressed to the presiding officer.
 - c. **Motions** – A proposal for Council action; requires a second before debate.
 - d. **Debate** – Members may discuss the motion, with the presiding officer ensuring fair opportunity for all to speak.
 - e. **Voting** – Actions are decided by majority vote unless otherwise required by law.
 - f. **Records** – All actions taken are recorded in the official minutes.
2. *Quorum*: Pursuant to Idaho Code § 50-705, a quorum shall consist of a majority of the duly elected members of the Council; the minimum number of City Council members who must be present to conduct official business. No ordinance, resolution, or motion shall be passed without the concurrence of at least a majority of the full Council. No action may be taken without a quorum present, except to adjourn or recess a meeting.
 3. *Regular Meetings: The regular meetings of the City Council of the City of Ketchum, Idaho, shall be held on the first second and third fourth Thursday Mondays of each month at the hour of 4:00 5:30 p.m. in Ketchum City Hall,. Council shall adopt an resolution annually designating meeting dates and times, which will be posted on the city website*
(Ord. 739 § 1, 1999; Ord. 870 § 1, 2001)
 4. *Special Meetings*: Special meetings of the City Council may be called at any time by the Mayor alone or by a majority of members of the Council. The call for all special meetings shall state the object and purposes of such meetings, and no other business shall be transacted at such meetings.

2.01.040 Reconsideration and appeals.

1. Reconsideration
 - a. Any applicant or affected person seeking judicial review of the City Council’s final decision must first file a written request for reconsideration with the City Council within fourteen (14) days of the decision, specifying the deficiencies in the decision for which reconsideration is sought.
 - b. The Council may reconsider only on one or more of the following grounds:
 - 1) Clerical error,
 - 2) Fraud or mistake,
 - 3) New evidence or changed circumstances,
 - 4) Procedural error,
 - 5) A tie vote in the initial decision, or
 - 6) Violation of substantive law.
 - c. At its next regular meeting, the Council shall consider whether to grant reconsideration. If granted, a hearing limited to the specified deficiencies shall be scheduled and conducted in accordance with public notice requirements.
 - d. Within sixty (60) days following receipt of the request, the Council shall issue a written decision to affirm, reverse, or modify, in whole or in part, the original decision. If the Council does not act within that time, the reconsideration request is deemed denied.

2. Appeal

- a. If the Council issues a final decision – either initially or following reconsideration – an affected person may seek judicial review in the district court, as provided by Chapter 52, Title 67, Idaho Code, within twenty-eight (28) days after all local remedies have been exhausted.
- b. Upon receipt of a judicial review petition, the City shall prepare and provide the administrative record in accordance with Idaho law.
- c. Any actions or determinations not expressly listed in this section as appealable to the City Council shall be subject to the reconsideration or appeal procedures outlined within the corresponding chapters of this code.

2.01.050 Compensation.

In accordance with Idaho Code title 50, compensation for the Mayor and City Council members shall be fixed by ordinance at least seventy-five (75) days prior to any general City election. Annual salaries are effective January 1 of the following year.

Commencing January 1, 2008, the compensation of the Mayor and of the members of the City Council shall be as follows:

1. The Mayor shall receive a monthly salary in the sum of \$3,000.00. Furthermore, beginning January 1, 2009, and continuing each January thereafter, the Mayor shall receive a cost of living adjustment (COLA) to such salary in the same amount afforded to City of Ketchum employees. The Mayor shall also receive health benefits, dental benefits, vision benefits, long term disability benefits and healthcare reimbursement account benefits in the same amount afforded to City of Ketchum employees. The Mayor shall also receive Idaho PERSI retirement benefits in the same amount afforded to City of Ketchum employees as prescribed by Idaho Code section 59-1322. If such benefits are declined by the Mayor, a monthly payment shall be made compensating the Mayor for benefits in an amount not to exceed the value of the benefits; and
2. Each member of the Council shall receive a monthly salary in the sum of \$1,666.67. Furthermore, beginning January 1, 2009, and continuing each January thereafter, each member of the Council shall receive a cost of living adjustment (COLA) to such salary in the same amount afforded to City of Ketchum employees. Each member of the Council shall also receive health benefits, dental benefits, vision benefits, long term disability benefits and healthcare reimbursement account benefits in the same amount afforded to City of Ketchum employees. Each member of the Council shall also receive Idaho PERSI retirement benefits in the same amount afforded to City of Ketchum employees as prescribed by Idaho Code section 59-1322. If such benefits are declined by a member of the Council, a monthly payment shall be made compensating such member of the Council for benefits in an amount not to exceed the value of the benefits.
3. No other compensation shall be afforded to the Mayor or Council Members.

(Ord. 1023 § 1, 2007)

CHAPTER 2.02 APPOINTED OFFICERS

2.02.010 Appointment of officers.

The Mayor, with the consent of the Council, shall appoint the City Administrator, City Clerk, City Treasurer, and City Attorney. Appointed officers and specified department heads may be removed from office either by the Mayor and two (2) members of the Council, or by three (3) members of the Council.

2.02.020 Officer duties.

1. City Administrator
 - a. Oversee day-to-day city operations consistent with Council policies and the Mayor's direction,
 - b. Supervise department heads and support effective interdepartmental coordination,
 - c. Assist in preparing the annual budget and advise on financial and operational matters,
 - d. Provide administrative support to the City Council, including attendance at meetings and preparation of reports,
 - e. Act as point of contact for residents, businesses, other governmental agencies, and the community, and
 - f. Perform additional duties as assigned by the Mayor or City Council.
2. City Clerk
 - a. Keep the official records of the City, including ordinances, resolutions, minutes, and contracts,
 - b. Maintain the City seal and attest official documents,
 - c. Administer oaths of office when required by law,
 - d. Act as custodian of public records and manage requests under Idaho Law,
 - e. Issue licenses and permits as authorized by ordinance, and
 - f. Perform such other duties as may be required by law, ordinance, or direction of the Mayor and Council.
3. City Treasurer
 - a. Collect, receive and safely keep all city funds,
 - b. Deposit city funds in approved depositories,
 - c. Keep accurate records of all receipts and disbursements,
 - d. Disburse funds only upon proper authorization and warrant,
 - e. Provide regular financial reports to the Mayor and Council,
 - f. Assist with budget preparation and monitoring of city finances, and
 - g. Perform other duties as prescribed by law or directed by the Mayor and Council.
4. City Attorney
 - a. Act as legal advisor to the Mayor, Council, and city departments,
 - b. Draft ordinances, resolutions, contracts, and other legal documents,
 - c. Represent the City in civil proceedings and prosecute ordinance violations as directed,
 - d. Provide legal opinions and guidance to the Mayor, Council, and staff,
 - e. Attend Council meetings when requested by the Mayor or Council, and
 - f. Perform such other duties as may be required by law, ordinance, or direction of the Mayor and Council.

CHAPTER 2.03 DEPARTMENTS

2.03.010 Establishment of departments.

The City Council may, by ordinance or resolution, create, consolidate, or dissolve departments as necessary for the efficient administration of City affairs. The administrative service of the City shall be organized into the following departments:

1. Administration
2. Community Engagement
3. City Clerk
4. Finance
5. Housing
6. Planning & Building
7. Police
8. Public Works
 - a. Facilities Division
 - b. Streets Division
 - c. Wastewater Division
 - d. Water Division
9. Recreation

2.03.020 Department heads.

Each department shall be directed by a department head who shall be appointed by the City Administrator in consultation with approval of the Mayor. Department heads shall be responsible for the administration and operation of their departments, including:

1. Implementing City policies and ordinances within their areas of responsibility,
2. Managing staff, budgets, and resources assigned to the department,
3. Advising the Mayor and Council on departmental matters,
4. Coordinating with other departments, boards, and commissions to further the City's goals, and
5. Performing other duties as may be assigned by the Mayor or City Administrator.

CHAPTER 2.04 CODE OF ETHICS

2.04.010 Purpose.

The purpose of this chapter is to promote public confidence in the integrity of city government by establishing clear ethical standards for city officials, employees, and contractors. These standards are intended to supplement, not replace, the requirements of Idaho Code Title 74, Chapter 4, "Ethics in Government."

2.04.020 Applicability.

This chapter applies to all elected and appointed city officials, members of boards and commissions, city employees, and contractors acting on behalf of the City of Ketchum.

2.04.030 Conflicts of interest.

1. Prohibited Conduct. No city official, employee, or contractor shall engage in any action, decision, or vote that may result in a direct or indirect financial benefit to themselves, their household members, or any business with which they are associated, when such benefit conflicts with the proper discharge of their official duties.
2. Disclosure Required. Any person covered by this chapter who has a potential conflict of interest shall disclose the nature of the conflict prior to participating in any discussion, decision, or action on the matter.
3. Recusal. Upon disclosure, the official or employee shall abstain from participation in the decision-making process when the conflict exists, unless otherwise permitted by Idaho Code.
4. Use of Position. No person shall use their position or city resources for personal gain, private advantage, or to benefit another in a manner inconsistent with public duties.

2.04.040 Gifts and favors.

No city official, employee, or contractor shall solicit or accept any gift, favor, service, or item of value that could reasonably be perceived to influence, or appear to influence, the impartial performance of official duties. Acceptance of items of nominal value, such as promotional items, light refreshments, or awards of recognition customarily given in the ordinary course of civic or professional relationships, is permitted. Any gift or benefit received in connection with city service shall not exceed fifty dollars (\$50.00).

CHAPTER 2.28 ELECTIONS

2.28.010 ~~Polling places~~Run-off elections for mayor.

1. **Majority Vote Required.** A majority of the voters cast for the office of Mayor shall be required for election.
2. **Run-Off Election.** If no candidate receives a majority of the votes cast at a general election, a run-off election shall be held between the two (2) candidates receiving the highest number of votes.
3. **Tie for Second Place.** In the event of a tie between candidates receiving the second and third highest number of votes, the candidate to oppose the candidate receiving the highest number of votes in the run-off election shall be determined by the toss of a coin.
4. **Conduct of Election.** The run-off election shall be conducted in the same manner as a general election and shall be held within thirty (30) days following the general election.
5. **Notice and Polling Places.** The City Clerk shall publish the first notice of the run-off election in the official newspaper not less than twenty (20) days prior to the election. The City Clerk shall designate the polling places before publication of the notice.
- ~~4.6.~~ **Recount; Cancellation of Run-Off.** The results of the general election shall be subject to change as a result of a recount. If, following a recount that becomes final at least twenty-four (24) hours prior to the

scheduled run-off election, a candidate is determined to have received a majority of the votes cast, the City Council may cancel the run-off election.

~~The polls for all general and special elections shall be opened from 8:00 a.m. and remain open until all registered electors of that precinct have voted or until 8:00 p.m., whichever comes first.~~

~~(Ord. 590 § 1, 1992)~~

TITLE 4

COMMISSIONS AND BOARDS

CHAPTER 4.08 HISTORICAL PRESERVATION COMMISSION

4.08.010 Purpose.

The purpose of this chapter is to establish the Historic Preservation Commission of the City of Ketchum in accordance with Idaho Code Title 67, Chapter 46, and to define the composition, duties, and responsibilities of the City of Ketchum Historic Preservation Commission, herein referenced as HPC. The HPC is created to preserve the historical, archeological, architectural and cultural heritage of the City of Ketchum through a comprehensive historic preservation program as guided by the goals and policies of the Comprehensive Plan. The HPC shall function solely as a land use authority for historic preservation and shall not serve as a forum for general community engagement on historic matters.

(Ord. 511 § 1, 1989; Ord. No. 1231, § 1, 1-3-2022)

~~4.08.020 Definitions.~~

~~The following words and phrases, when used in this chapter, shall have, unless the context clearly indicates otherwise, the following meanings:~~

~~City means The City of Ketchum, Idaho.~~

~~Historic building/site list means the list of buildings and sites deemed to be historically significant as adopted by resolution by the HPC.~~

~~Historic preservation means the research, documentation, protection, restoration and rehabilitation of buildings, structures, objects, districts, areas and sites significant in the history, architecture, archaeology or culture of this state, its communities or the nation.~~

~~Historic property means any building, structure, area or site that is significant in the history, architecture, archaeology or culture of this community, the state, or the nation.~~

~~HPC means the Historic Preservation Commission of the City of Ketchum, Idaho.~~

~~(Ord. 511 § 2, 1989; Ord. No. 1231, § 1, 1-3-2022)~~

4.08.030 Created; appointments.

- A. There is created an HPC which shall consist of five members comprised of a maximum of three and a minimum of one member of the Planning and Zoning Commission and a maximum of four and a minimum of two members of the community who shall be appointed by the Mayor with the advice and consent of the Council.
- B. All members of the HPC shall have a demonstrated interest, competence or knowledge in history or historic preservation. The Council shall endeavor to appoint community members with professional training or experience in the disciplines of architecture, history, architectural history, urban planning, archaeology, engineering, law, or other historic preservation related disciplines.

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- C. Initial appointments to the HPC shall be made as follows: two two-year terms, and three three-year terms. All subsequent appointments shall be made for three-year terms. HPC members may be reappointed to serve additional terms. Vacancies shall be filled in the same manner as original appointments, and the appointee shall serve for the remainder of the unexpired term.
 - D. The members of the HPC may be reimbursed by the City for expenses incurred in connection with their duties and for meetings, subject to a resolution adopted by the City Council.

(Ord. 511 § 3, 1989; Ord. 512 § 1, 1989; Ord. 978 § 1, 2006; Ord. No. 1231, § 1, 1-3-2022)

4.08.040 Organization, officers, rules, meetings.

- A. The HPC shall have the power to make whatever rules are necessary for the execution of its duties as set forth in this chapter. Rules of procedure and bylaws adopted by the HPC shall be available for public inspection.
- B. The HPC shall elect officers from among the HPC members. The chairperson shall preside at meetings of the HPC. The vice chairperson shall, in the absence of the chairperson, perform the duties of the chairperson.
- C. All meetings of the HPC shall be open to the public and follow the requirements of Idaho's open meeting laws. The HPC shall keep minutes and other appropriate written records of its resolutions, proceedings and actions.
- D. The HPC may recommend to the Council, within the limits of its funding, the employment of or the contracting with other parties for the services of technical experts or other persons as it deems necessary to carry on the functions of the HPC.

(Ord. 511 § 4, 1989; Ord. No. 1231, § 1, 1-3-2022)

4.08.050 Powers, duties and responsibilities.

The HPC shall be advisory to the Council and shall be authorized to:

- A. Conduct a survey of local historic properties;
- B. Recommend the acquisition of fee and lesser interests in historic properties, including adjacent or associated lands, by purchase, bequests or donation;
- C. Recommend methods and procedures necessary to preserve, restore, maintain and operate historic properties under the ownership or control of the City;
- D. Recommend the lease, sale, other transfer or disposition of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property;
- E. Contract, with the approval of the Council, with the state or federal government, or any agency of either, or with any other organization;
- F. Cooperate with the federal, state and local governments in the pursuance of the objectives of historic preservation;
- G. Make recommendations in the planning processes undertaken by the county, the City, the state or the federal government and the agencies of these entities;
- H. Recommend ordinances ~~and otherwise provide information for the purposes of~~ related to historic preservation in the City;

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- I. ~~Promote and conduct an educational and interpretive program on historic preservation and historic properties in the City;~~
 - J. HPC members, employees or agents of the HPC may enter private property, buildings or structures in the performance of their official duties only with the express consent of the owner or occupant;
 - K. Review nominations of properties to the National Register of Historic Places for properties within the City's jurisdiction;
 - L. Establish and maintain the Historic Building/Site list;
 - M. Review and make decisions on Demolition and Addition/Alteration applications.

(Ord. 511 § 5, 1989; Ord. No. 1231, § 1, 1-3-2022)

~~4.08.060 Special restrictions.~~

~~Under the provisions of Idaho Code section 57-4612, the City of Ketchum, Idaho, may provide by ordinances, special conditions or restrictions for the protection, enhancement and preservation of historic properties.~~

~~(Ord. 511 § 6, 1989; Ord. No. 1231, § 1, 1-3-2022)~~

CHAPTER 4.12 PLANNING AND ZONING COMMISSION

4.12.010 Purpose.

The purpose of this chapter is to establish the Planning and Zoning Commission of the City of Ketchum in accordance with Idaho Code Title 67, Chapter 65, and to define its composition, duties, and responsibilities. The Commission is created to promote the orderly development of the City; to implement the goals and policies of the Comprehensive Plan; to review and make recommendations on land use, zoning, and subdivision matters; and to advise the Mayor and City Council on issues affecting the growth, development, and general welfare of the community.

4.12.020 Creation of the Commission.

A Planning and Zoning Commission for the City of Ketchum, Idaho, is created pursuant to Idaho Code section 67-6504. The appointment of members, filling vacancies, residency, length of service and removal for cause shall conform to requirements contained in Idaho Code section 67-6504) as may be amended from time to time.

(Ord. 1130, 2015)

4.12.030 Establish number of members.

The number of members to be appointed to the Commission shall be five.

(Ord. 1130, 2015)

4.12.040 Establish term of office.

The term of a commissioner shall be three years, pursuant to Idaho Code section 67-6504(a) that provides for not less than three years and not more than six years.

(Ord. 1130, 2015)

CHAPTER 4.16 ARTS-CULTURAL AND HERITAGE COMMISSION

4.16.010 Purpose.

It is the purpose of this chapter and the policy of the City to recognize the value of art and cultural activities in public places, in order to beautify community spaces and public areas, ~~to~~ enhance the quality of life for Ketchum citizens and visitors, to attract tourism, ~~to enhance~~ elevate art education, ~~and celebrate~~ ion of cultural heritage, and ~~to provide incentives for~~ businesses to locate within the City, thus expanding Ketchum's economic base.

(Ord. 1168, 2017)

4.16.020 ~~Definitions.~~

~~In construing the provisions of this chapter, the following definitions shall apply:~~

~~Public art: Art in any media (temporary, long term, visual, performing, time based, etc.) that has been planned and executed with the intention of being staged in the physical public domain, usually outside and accessible to all.~~

~~(Ord. 1168, 2017)~~

4.16.02~~30~~ General requirements.

- A. Public cultural, historical, or art installations may be an integral part of a structure, attached to a structure or detached from a structure within or outside of it. ~~Public art~~ These installations may also be located on any publicly owned property or on publicly accessible private property upon formal written agreement with the private entity.
- B. Any public cultural, historical, or art installations chosen shall be located in a public place with public accessibility and impact, and further shall comply with any additional ~~to any~~ guidelines established by Council upon recommendation of the Ketchum Cultural and Heritage~~Arts~~ Commission.
- C. Nothing contained herein shall preclude the funding of City public cultural, historical, or art installations by matching monies, donations, or other means.

(Ord. 1168, 2017)

4.16.03~~40~~ Administrative responsibilities.

- A. The City designates the Ketchum Arts-Cultural and Heritage Commission, to be responsible for the location and selection of all public cultural, historical, or art installations in the City. The Ketchum Arts-Cultural and Heritage Commission ~~shall~~ will make recommendations and ~~shall~~ seek input and advice from relevant City departments prior to public cultural, historical, or art installation. ~~It shall~~ The Ketchum Cultural and Heritage Commission will also advise relevant City departments regarding the maintenance, repair, ~~or and~~ other conservation of public cultural, historical, or art installations.
- B. Public cultural, historical, or art installations selected shall be consistent with the City's comprehensive plan, zoning and subdivision ordinances, and land uses contemplated therein.

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- C. The Ketchum Arts-Cultural and Heritage Commission ~~shall~~will work with the City regarding the public cultural, historical, or art installations selected for installation in coordination with for capital improvement projects contained in the capital improvement program and the selection of artists or historians for these public art projects.
- D. The Ketchum Arts-Cultural and Heritage Commission shall make reports from time to time as requested by the Mayor and/or the Council.

(Ord. 1168, 2017)

4.16.0450 Source of funds.

Funds to support the Arts-Cultural and Heritage Commission may include, but are not limited to, general funds, percent for arts funds, Ketchum Urban Renewal Agency funds, grants, donations, and funding from other organizations and agencies.

(Ord. 1168, 2017)

4.16.0560 Composition, appointment, and terms~~Establishment, composition and terms.~~

A. The Commission shall consist of seven (7) members.

B. Members shall be appointed by the Mayor with the advice and consent of the Council.

C. The membership should, to the greatest extent practicable, include:

1. Persons with demonstrated interest, competence, or knowledge in one or more of the following:

- a. History
- b. Archaeology
- c. Cultural arts
- d. Visual, performing, or literary arts
- e. Arts administration or curation
- f. Museum studies
- g. Landscape architecture
- h. Other related disciplines.

D. Initial appointments shall be for staggered terms. Thereafter, terms shall be three (3) years.

E. Members shall be limited to a total of two terms, which may be served consecutively, unless otherwise approved by resolution of the City Council.

F. Vacancies shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

G. Members may be reimbursed for expenses as approved by resolution of the City Council

4.16.060 Organization, officers, meetings, and rules.

A. The Commission shall elect a chair and vice-chair annually from among its members at the first regular meeting of each calendar year.

- B. All meetings shall be open to the public and conducted in accordance with Idaho open meeting laws.
- C. The Commission shall keep minutes and other appropriate records.
- D. The Commission may recommend to the Council, within budgetary limits, the use of technical experts or consultants.

The Mayor shall designate one City staff member to the Commission. Staff shall provide administrative support, assist with agenda preparation and reports, coordinate with other City departments, and serve as a point of communication between the Commission, the Mayor, and the City Council. Additional staff or consultants may assist as necessary. Staff member shall not be a voting member of the Commission. The Commission shall not exercise administrative or supervisory authority over City staff, and all staff direction and supervision shall remain with the City Administrator or designee. The Commission shall consist of no more than nine members who shall receive no salary. The Mayor and Commission Chair will work together to discuss new members for appointment. Members shall be appointed by the Mayor and confirmed by the City Council, and any member may, in a like manner, be removed.

- A. The Commission shall adopt bylaws for the management and operation of meetings.
- B. In addition to the nine members, the executive director of the Ketchum Community Development Corporation (KCDC) will serve as a nonvoting member of the Commission.
- C. The term of office for each of the members shall be three years. Two consecutive three-year terms shall be the maximum allowable for a member and shall constitute a full term. Upon completion of a full term, reappointment will be allowable after a one-year waiting period.

(Ord. 1168, 2017)

4.16.070 Duties and responsibilities.

The duties and responsibilities of the Cultural and Heritage Commission shall be as follows:

- A. Stimulate-Raise awareness and appreciation of the importance of ~~the arts~~culture, history, and art in the broadest possible manner including, but not limited to, the review and incorporation of public cultural, historical, or art installations with existing and new construction (both public and private), support and production of visual, performing and literary cultural, historical, or arts ~~(individuals, organizations, businesses)~~programming, and ~~both a~~ general promotion and education regarding culture, history and artof the arts and arts education.
- B. Encourage the preservation and growth of the City's cultural, historical, or art resources, foster the development of a receptive climate for the humancitiesarts, and promote opportunities for Ketchum residents to participate in cultural, historical, or artistic activities.
- C. Provide information, encouragement, and general assistance to Ketchum's cultural organizations, ~~and~~ artists, and historians.
- D. Promote the development of Ketchum artists, historians, institutions, and community organizations sponsoring cultural, historical, or arts activities.
- E. Assess the community's cultural, historical, or arts needsneeds of the arts and of the people of ~~Ketchum~~ and make such information available to the Mayor and City Council and all interested agencies and persons.
- F. Review and provide recommendations and advice to the Mayor and City Council on all proposed cultural, historical, or arts related projects, events, grants, general disbursement of funds or provision of services to artists, historians, nonprofits, or ~~for-for~~profit cultural, historical, or arts institutions or organizations.

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- G. ~~Promote and conduct educational and interpretive programs on historic properties in the City of Ketchum. Encourage and provide direction to coordinate, partner or benefit from the arts activities or opportunities provided by other governmental agencies.~~
 - H. Seek and encourage financial support, including grants, loans and guarantees for Ketchum Arts-Cultural and Heritage Commission projects subject to approval by the City Council and Mayor.

(Ord. 1168, 2017)

CHAPTER 4.18 URBAN RENEWAL AGENCY

4.18.010 Purpose.

The purpose of this chapter is to establish the Ketchum Urban Renewal Agency (KURA), an independent agency formed by the City of Ketchum in 2006, to focus on downtown revitalization, community housing, and public and private investments. The KURA operates under its own budget, bylaws, and Board of Commissioners, implementing projects identified in the Ketchum Urban Renewal Plan adopted by the City Council. Ketchum Urban Renewal Agency.

4.18.020 Establishment and Composition.

The Ketchum Urban Renewal Agency is established as an independent agency of the City of Ketchum. The Agency shall be governed by a Board of Commissioners consisting of seven members: two members of the Ketchum City Council and five additional members from the community. The members shall be appointed by the Mayor and confirmed by the City Council. Ketchum Urban Renewal Agency.

4.18.030 Powers and Duties.

The KURA shall have the authority to:

1. Implement the projects identified in the Ketchum Urban Renewal Plan.
2. Utilize tax increment financing to fund urban renewal projects.
3. Acquire, improve, and dispose of property within the Revenue Allocation Area.
4. Enter into contracts and agreements necessary to carry out urban renewal projects.
5. Issue bonds or other obligations to finance urban renewal activities.
6. Perform all other activities authorized under Idaho Code Title 50, Chapter 20.

4.18.040 Administrative Responsibilities.

The City designates the Ketchum Urban Renewal Agency as responsible for the administration and implementation of urban renewal projects within the City. The KURA shall coordinate with relevant City departments and officials to ensure alignment with the City's comprehensive plan and zoning ordinances.

4.18.050 Funding Sources.

The KURA may utilize various funding sources to support its activities, including but not limited to:

1. Tax increment financing derived from the Revenue Allocation Area.
2. Grants and loans from federal, state, or local agencies.
3. Private investments and partnerships.
4. Donations and other contributions.

4.18.060 Reporting and Oversight.

The KURA shall provide annual reports to the City Council detailing its activities, financial status, and progress on urban renewal projects. The City Council shall have oversight authority to ensure that the KURA's activities align with the City's goals and objectives.



City Code Updates: Titles 1-4 Public Hearing

March 25, 2026



Project Purpose

- The city has completed the reorganization of the land-use sections (12, 15-17) of city code
- Staff is proposing to update the code in packages; **Titles 1-4** have been reviewed by staff with proposed edits
 - *Holding Title 3 to accompany pending review of LOT funding options*



Highlights

	Highlights:	Presented changes at last meeting	Latest revisions:
Title 1	<ul style="list-style-type: none"> • overall clean-up • all penalties refer to fee hearing 	<ul style="list-style-type: none"> • no changes since last discussion 	<ul style="list-style-type: none"> • no changes since last discussion
Title 2	<ul style="list-style-type: none"> • addition of duties, departments, etc. 	<ul style="list-style-type: none"> • Runoff elections (for Mayor and Council) • Code of ethics 	<ul style="list-style-type: none"> • 2.01.030 (3) Regular meetings – updated to correct days of week • 2.28 Elections – run off elections changed to Mayor only (not council) * 2.02.010 Appointed officers – the Mayor would like to revisit the request of Council-approved appointing of the Director of Planning & Building and Director of Housing
Title 3	<i>holding/pending review of LOT funding options</i>		
Title 4	<ul style="list-style-type: none"> • Addition of KURA 	<ul style="list-style-type: none"> • Consolidation of KAC & HPC • Retain Traffic Authority and move from Title 10 	<ul style="list-style-type: none"> • 4.08.010 Purpose – reverted/reestablishment of Historic Preservation Commission (HPC) • 4.08.050 Powers – programming purview moved to reorganized arts commission <ul style="list-style-type: none"> • 4.08.050 M – now including review of ‘Addition’ applications • 4.16 establishment of ‘Cultural & Heritage Commission’



Council Discussion/Questions



MOTION

Option 1:

Move to approve the first reading by title only of Ordinance 1271, 1272, and Ordinance 1274 – Titles 1, 2 and 4 of Ketchum Municipal code.

Option 2:

Move to approve the first reading by title only of Ordinance 1271, 1272, and Ordinance 1274 – Titles 1, 2 and 4 of Ketchum Municipal code *with the following changes:*